THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 18278 of 2005

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FRIDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND FIVE

Between:

M/s. Kumar's Co-Tex Limited, Dokiparru, Guntur District,
Mr. Anil Kumar Agarwal, S/o. Om Prakash Agarwal, aged about 53 yrs,
Hindu, Male, R/o. East Marredpally, Secunderabad,

..... PETITIONER

AND

1 The Recovery Officer, Employees State Insurance Corporation,
Vijayawada,
2 The Regional Director, Employees State Insurance Corporation,
Regional Office, 5-9-23, Hill Fort Road, Hyderabad,

.....RESPONDENTS

The Court, at the stage of admission, made the following:

Oral order:-

The petitioner is aggrieved by the quantum of E.S.I. dues in respect of which recovery proceedings have been initiated against the petitioner under Section 45-C to 45-I of the Employees' State Insurance Act, 1948 (Act No. 34 of 1948) (for short 'the Act') by the proceedings dated: 30-06-2004; 3-07-2004 and 26-02-2005.

According to the petitioner, it is due around a sum of Rs.3,00,000-00; whereas the respondents are seeking to recover an amount of Rs.13,18,663-00 of which Rs. 9,62,776-00 is specified to be the accrued arrears of E.S.I. contributions and the rest interest. Such disputes, as to the quantum of E.S.I. Contributions or the interest components thereon, are more appropriately considered in an appeal under Section 75 of the Act by the Employees Insurance Court.

In the circumstances, this court is not inclined to adjudicate upon this dispute. The writ petition is dismissed. The petitioner is at liberty to pursue the appeal remedy under Section 75 of the Act. The petitioner may prefer such an appeal within two weeks from today. No costs.

GODA RAGHURAM, J

Dt. 19-08-2005

Pvks/*

Nb: Furnish c.c. in two days.

B/o pvks/*